

APPENDIX G-3
FERC Order Approving Recreation Plan dated August 24, 2000

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Kennebec Water District

Project No. 2555-009

ORDER APPROVING RECREATION PLAN

(Issued August 24, 2000)

On June 8, 2000, Kennebec Water District, licensee for the Automatic Project, FERC No. 2555, filed a recreation plan pursuant to article 407 of the license.¹ The project is located on Messalonskee Stream, a tributary of the Kennebec River, in Kennebec County, Maine.

BACKGROUND

Article 406 requires the licensee to file with the Commission, for approval, a recreation plan showing existing recreational development and indicating the entities responsible for operation and maintenance of the facilities for the Automatic Project. The plan shall also provide for construction of improvements to the parking area at the North Street Park, or for an alternate access location, and for monitoring and reporting on recreation use. The plan shall include, but need not be limited to: (1) final site plans for the facilities cited above; (2) erosion and sediment control during construction; and (3) an implementation schedule.

The licensee shall prepare the plan after consulting with the Maine Department of Environmental Protection, Maine Department of Conservation, U.S. Fish and Wildlife Service, the city of Waterville, Waterville Conservation Commission, and Natural Resources Conservation Service. The licensee shall include with the plan documentation of consultation, copies of comments and recommendations on the completed plan after it has been prepared and provided to the consulted entities, and specific descriptions of how the entities' comments are accommodated by the plan. The licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations prior to filing the plan with the Commission for approval. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific information.

¹See 88 FERC ¶ 61, 117 (1999).

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The Commission reserves the right to require changes to the plan. No ground-disturbing or land-clearing activities for new or improved recreation facilities shall begin until the licensee is notified that the plan is approved. Upon approval, the licensee shall implement the plan, including any changes required by the Commission.

LICENSEE'S PROPOSAL

The licensee's plan includes a description of the project and its recreational use. It further includes a description of the improvements to the existing carry-in boat access at the North Street Park. The licensee states the existing carry-in boat launch is adequate in size for the level of activity, but it needs to upgrade the parking to provide safe access. The improved parking area will include a paved lot to accommodate five vehicles and will be wide enough to allow vehicles to turn freely. The licensee includes its proposal to prevent sedimentation and erosion before and after construction. The licensee proposes to begin construction in the late summer/early fall of 2000 depending on the weather and availability of supplies.

The licensee also described its proposal to monitor recreation facilities pursuant to articles 407 and 408. This monitoring program included a description of the frequency the facilities will be monitored, the activities that will be monitored, personnel, and the monitoring methods. The licensee will compile the data and file a report in conjunction with the FERC Form 80.

CONSULTATION

The licensee consulted with the appropriate agencies and incorporated the comments into the filing.

DISCUSSION AND CONCLUSION

The licensee's proposal meets the requirements of article 407. The improved parking at the North Street Park will provide adequate safe access for boaters. The recreation plan should be approved.

The licensee's monitoring program will provide the information needed to assess whether the facilities are meeting the recreational needs. The first report will be due by April 1, 2004. Subsequent reports should be filed in conjunction with the Commission's Form 80 due dates in 2009, 2015, etc.

The Director orders:

- (A) The recreation plan for the Automatic Project, filed on June 8, 2000, is approved.
- (B) The licensee shall construct the facilities by May 31, 2001. It shall file as-built drawings of the facilities for approval within 90 days of completing construction. These drawings shall show the recreation facilities and their location with respect to other project features including the powerhouse and project boundary, where applicable.
- (C) The licensee shall file monitoring reports pursuant to article 408. The first report will be due by April 1, 2004. Subsequent reports shall be filed in conjunction with the Commission's Form 80 by April 1, 2009, 2015, etc.
- (D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.



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